

PLANNING DIVISION CITY OF SUNNYVALE P.O. BOX 3707 SUNNYVALE, CALIFORNIA 94088-3707 File Number: 2005-1184

No. 06-10



# NOTICE OF INTENT TO ADOPT A MITIGATED NEGATIVE DECLARATION

This form is provided as a notification of an intent to adopt a Mitigated Negative Declaration which has been prepared in compliance with the provisions of the California Environmental Quality Act of 1970, as amended, and Resolution #118-04.

# PROJECT TITLE:

Application for a Tentative Map and Special Development Permit filed by The Olson Company.

# PROJECT DESCRIPTION AND LOCATION (APN):

2005-1185 - The Olson Company [Applicant] WTJ & D Associates, Csaba W & Marta M Mester, Edward S & Anna S Brugge Trustee [Owners]: Application for related proposals on a 145,600 squarefoot site located at 698 East Taylor Avenue (near Britton Avenue) in an M-S/ITR/R-3/PD (Industrial & Service/Industrial to Residential/Medium Density Residential/Planned Development) Zoning District. (APN's: 205-30-023, 205-30-022, 205-30-024, and 205-30-003)

- Special Development Permit to allow 68 condominiums.
- Tentative Map to subdivide four lots into condominium lots.

#### WHERE TO VIEW THIS DOCUMENT:

The Mitigated Negative Declaration, its supporting documentation and details relating to the project are on file and available for review and comment in the Office of the Secretary of the Planning Commission, City Hall, 456 West Olive Avenue, Sunnyvale.

This Mitigated Negative Declaration may be protested in writing by any person prior to 5:00 p.m. on Monday, June 12, 2006. Protest shall be filed in the Department of Community Development, 456 W. Olive Avenue. Sunnyvale and shall include a written statement specifying anticipated environmental effects which may be significant. A protest of a **Mitigated Negative Declaration** will be considered by the adopting authority, whose action on the protest may be appealed.

# **HEARING INFORMATION:**

A public hearing on the project is scheduled for:

Monday, June 12, 2006 at 8:00 p.m. in the Council Chambers, City Hall, 456 West Olive Avenue, Sunnyvale.

# TOXIC SITE INFORMATION:

(No) listed toxic sites are present at the project location.

Circulated On May 10, 2006

ruso. Principal Planner



PLANNING DIVISION CITY OF SUNNYVALE P.O. BOX 3707 SUNNYVALE, CALIFORNIA 94088-3707 File Number: 2005-1184

No. 06-10



# **NEGATIVE DECLARATION**

This **Mitigated Negative Declaration** has been prepared in compliance with the provisions of the California Environmental Quality Act of 1970, as amended, and Resolution #118-04.

# PROJECT TITLE:

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- Special Development Permit to allow 68 condominiums.
- Tentative Map to subdivide four lots into condominium lots.

# **FINDINGS:**

The Director of Community Development of the City of Sunnyvale, California, hereby determines that an environmental impact report is not required. There are sufficient environmental controls incorporated into the zoning regulations to ensure no significant detrimental effect.

The above determination is based upon the initial study conducted in this matter, information provided by the applicant in an "Application for Environmental Finding" that is based on information provided by the applicant in an "Application for Environmental Clearence" and is based on the fact that sufficient environmental controls are incorporated in the Zoning and Subdivision regulations as to ensure no significant detrimental effect. The sufficient environmental controls are incorporated in the Zoning and Subdivision regulations to ensure no significant detrimental effect by any proposed use, in the case of a PD overlay or any application for a Use Permit, SDP and arc. con. by city

This **Mitigated Negative Declaration** may be protested in writing by any person prior to 5:00 p.m. on Monday, June 12, 2006. Such protest shall be filed in the Department of Community Development, 456 W. Olive Avenue, Sunnyvale and shall include a written statement specifying anticipated environmental effects which may be significant. A protest of a Negative Declaration will be considered by the adopting authority, whose action on the protest may be appealed.

Circulated On	May 10, 2006	Signed X XIII (and
		Gerri Caruso, Principal Planner
Adopted On	·	Verified:
		Gerri Caruso, Principal Planner



File Number: 2005-1184

No. 06-10

# California Department of Fish and Game CERTIFICATE OF FEE EXEMPTION

De Minimis Impact Finding



# PROJECT TITLE/LOCATION (INCLUDE COUNTY):

The Tentative Map and Special Development Permit is located on 698 East Taylor Avenue, City of Sunnyvale, County of Santa Clara in an M-S/ITR/R-3/PD (Industrial & Service/Industrial to Residential/Medium Density Residential/Planned Development) Zoning District. (APN's: 205-30-023, 205-30-022, 205-30-024, and 205-30-003)

### PROJECT DESCRIPTION:

2005-1185 – The Olson Company [Applicant] WTJ & D Associates, Csaba W & Marta M Mester, Edward S & Anna S Brugge Trustee [Owners]: Application for related proposals on a 145,600 square-foot site.

- Special Development Permit to allow 68 condominiums.
- Tentative Map to subdivide four lots into condominium lots.

# FINDINGS OF EXEMPTION:

- 1. This project is in an urban setting.
- 2. There is no alteration of land or effect on fish or wildlife.

# **CERTIFICATION:**

I hereby certify that the public agency has made the above finding and that the project will not individually or cumulatively have an adverse effect on wildlife resources, as defined in Section 711.2 of the Fish and Game Code.

Gerki\_Caru/so

Title: Principal Planner, Community Development

Lead Agency: City of Sunnyvale

Date: May 9, 2006

INITIAL STUDY
City of Sunnyvale
Department of Community Development
Planning Division
P.O. Box 3707
Sunnyvale, CA 94088-3707

Project #: 2005-1184

Project Address: 698 E. Taylor Avenue, Sunnyvale

Applicant: The Olson Company

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Project Title	Application for Special Development Permit and Tentative Map for 68 townhomes.
Lead Agency Name and Address	City of Sunnyvale PO Box 3707 Sunnyvale, CA 94088-3707
Contact Person	Steve Lynch, Senior Planner
Phone Number	(408) 730-2723
Project Location	698 East Taylor Avenue Sunnyvale, CA 94087
Project Sponsor's Name	The Olson Company
Address	3130 Crow Canyon place, Suite 210 San Ramon, C A 94583
Zoning	M-S/ITR/R-3/PD
General Plan	Industrial to Medium Density Residential
Other Public Agencies whose approval is required	<ul> <li>Bay Area Air Quality</li> <li>California Regional Water Quality Control Board</li> <li>Santa Clara Valley Water District</li> </ul>

# **Description of the Project:**

The project consists of a Special Development Permit application to allow the construction of a 68 townhomes, which would include total approximately 147,315 square feet of buildings on four parcels totaling 3.38 acres. The new units will be grouped into 12 buildings. The site will include a clubhouse.

The existing 29,416 square foot industrial and manufacturing buildings are proposed to be demolished. These buildings do not have any Federal, State, or local historical or architectural significance. This site has known soil and groundwater contamination that will be remediated when the site is redeveloped. A detailed discussion of the contamination is contained in the following report.

**Surrounding Uses and Setting:** Surrounding Zoning east and west are multi-family residential (R-4/PD - Residential High Density/Planned Development and R-3/PD - Residential Medium Density/Planned Development). The Zoning to the north is an Industrial to Residential (M-S/ITR/R-3/PD) zone. The Zoning to the south is Industrial (M-S). Residents are allowed to live in the vehicles while they are parked on this parcel. The uses of the surrounding lands are reflective of their Zoning designations.

Project #: 2005-1184

Project Address: 698 E. Taylor Avenue

Applicant: The Olson Company

# ATTACHMENT 2

# **EVALUATION OF ENVIRONMENTAL IMPACTS**

1. A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g. the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g. the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).

- 2. A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g. the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g. the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).
- 3. All answers must take account of the whole action involved, including off-site as well as onsite, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
- 4. Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.
- 5. "Negative Declaration: Potentially Significant Unless Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less Significant Impact." The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from Section 17, "Earlier Analysis," may be cross-referenced).
- 6. Earlier analysis may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063 (c) (3) (d). In this case, a brief discussion should identify the following:
- 7. Earlier Analysis Used. Identify and state where they are available for review.
- 8. Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
- 9. Mitigation Measures. For effects that are "Less than Significant with Mitigation Measures Incorporated," describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project
- 10. Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g. general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.

	ENVIRONMENTAL FACTO	RS P	OTENTIALLY AFFECTE	D:	Page 6 c	of 2
	The environmental factors che at least one impact that is a "F following pages.				l by this project, inv	
	☐ Aesthetics		Hazards & Hazardous		Public Services	
	☐ Agricultural Resources		Materials Hydrology/Water Quality		Recreation	
	☐ Air Quality	. 🔲	Land Use/Planning		Transportation/Tra	affic
	☐ Biological Resources		Mineral Resources		Utilities/Service Systems	
	☐ Cultural Resources		Noise		Mandatory Finding Significance	gs of
	☐ Geology/Soils		Population/Housing		Significance	
C	DETERMINATION: (To be come on the basis of this initial evaluated of the basis of this initial evaluated of the basis of this initial evaluated.)  I find that the proposed project COULDECLARATION will be prepared.	ation:		vironme	nt, and a NEGATIVE	
	I find that although the proposed proje a significant effect in this case becaus project proponent. A MITIGATED NE	e revisi	ons in the project have been made	by or a		$\boxtimes$
I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.						
	I find that the proposed project MAY h mitigated" impact on the environment, document pursuant to applicable lega based on the earlier analysis as descr is required, but it must analyze only th	but at l I standa ibed on	east one effect (1) has been adequites, and (2) has been addressed buttached sheets. An ENVIRONM	uately a by mitiga	nalyzed in an earlier ation measures	
	I find that although the proposed proje potentially significant effects (a) have pursuant to applicable standards and NEGATIVE DECLARATION, including proposed project, nothing further is re	ect could been ar (b) have g revisio	I have a significant effect on the en alyzed in an earlier EIR or NEGA be been avoided or mitigated pursua	FIVE DE ant to th	ECLARATION at earlier EIR or	
	M				5/1/06	
	Signature			·	Date 107	
	Steve Lynch, Senior Planner				For the City of Sunnyva (Lead Agency)	ale

E-13193 ATTACHMENT \_\_\_\_

			Potentially Significant Impact	Less than Sig. With Mitigation	Less Than Significant	No Impact	Source
1.	ΑE	STHETICS. Would the project:					
	a.	Have a substantial adverse effect on a scenic vista?					2, 94
	b.	Substantially damage scenic resources, including, but not limited to trees, rock outcroppings, and historic buildings within a state scenic highway?					2, 94
	c.	Substantially degrade the existing visual character or quality of the site and its surroundings?					2, 94, 101
	d.	Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?					2, 94
2.	sigi app poli ma	R QUALITY: Where available, the nificance criteria established by the blicable air quality management or air lution control district may be relied upon to ke the following determinations. Would the ject:					
	a.	Conflict with or obstruct implementation of the applicable air quality plan?					3, 94, 100, 111
	b.	Violate any air quality standard or contribute substantially to an existing or projected air quality violation.				$\boxtimes$	3, 94, 100, 111
	C.	Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?					3, 96, 97, 100, 111
	d.	Expose sensitive receptors to substantial pollutant concentrations?					62, 63, 111, 112
	е.	Create objectionable odors affecting a substantial number of people?				$\boxtimes$	111, 112
3.	BIC	DLOGICAL RESOURCES:					
	a.	Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U. S. Fish and Wildlife Service?					2, 94, 111, 112, 109
	b.	Have a substantially adverse impact on any riparian habitat or other sensitive natural community identified in local or regional				$\boxtimes$	2, 94, 111, 112, 109

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	-		Potentially Significant Impact	Less than Sig. With Mitigation	Less Than Significant	No Impact	Source
		plans, policies, regulations, or by the California Department of Fish and Game or U.S Wildlife Service?					
	c.	Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?					2, 94, 111, 112, 109
	d.	Interfere substantially with the movement of any resident or migratory fish or wildlife species or with established native resident migratory wildlife corridors, or impede the use of native wildlife nursery sites?		0		$\boxtimes$	2, 94, 111, 112, 109
	e.	Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?					2, 94, 111, 112, 109
	f.	Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Conservation Community Plan, other approved local, regional, or state habitat conservation plan?					41,94, 111, 112
4.	CU	LTURAL RESOURCES. Would the project:				***************************************	
	a.	Cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5?			$\boxtimes$		See disc.
	b.	Cause a substantial adverse change in the significance of an archaeological resources pursuant to Section 15064.5					10, 42, 94
	c.	Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?					10, 42, 94, 111
	d.	Disturb any human remains, including those interred outside of formal cemeteries?				$\boxtimes$	2, 111, 112
5.		ND USE AND PLANNING. Would the ject:					
	a.	Physically divide an established community?					2, 11, 12, 21, 28
	b.	Conflict with an applicable land use plan, policy or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of					31, 28, 111

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			Potentially Significant Impact	Less than Sig. With Mitigation	Less Than Significant	No Impact	Source
		avoiding or mitigating an environmental effect?					
	C.	Conflict with any applicable habitat conservation plan or natural communities conservation plan?				$\boxtimes$	2, 41, 94, 111
6.	MI	NERAL RESOURCES. Would the project:					
	a.	Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?					2, 94
<b>.</b>	b.	Result in the loss of availability of a locally- important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?				$\boxtimes$	2, 94
7.	NC	DISE. Would the project result in:					
	a.	Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?					2, 16, 26, 94, 111, 112
	b.	Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?				$\boxtimes$	2, 16, 26, 94, 111, 112
-	C.	A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?					2, 16, 26, 94, 111, 112
	d.	A substantially temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?					See disc.
8.		PULATION AND HOUSING. Would the ject:		·			
	a.	Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?					2, 94
	b.	Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?				$\boxtimes$	2, 11, 111, 112
	C.	Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?					2, 11, 111, 112
9.	in s	BLIC SERVICES. Would the project result substantial adverse physical impacts sociated with the provision of new or					

Environmental	Checklist	Form <sup>*</sup>

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	Potentially Significant Impact	Less than Sig. With Mitigation	Less Than Significant	No Impact	Source
physically altered government facilities, need for new or physically altered government facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:					
a. Schools?					2, 111, 112
b. Police protection?					26, 65, 66, 103, 104
c. Fire protection?				$\boxtimes$	26, 65, 66, 103, 104
d. Parks?			$\boxtimes$		2, 111, 112
e. Other services?				$\boxtimes$	111
10. MANDATORY FINDINGS OF SIGNIFICANCE					
a. Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory?					2, 10, 26, 42, 59, 60, 61, 111, 112
b. Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of the past projects, the effects of other current projects, and the effects of probable future projects)?					1, 2, 111, 112
c. Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?				$\boxtimes$	111, 112
11. GEOLOGY AND SOILS. Would the project:					

ATTACHMENT_1	)
-11 21	Project #: 2005-1184 Project Address: 698 E. Taylor Avenu Applicant: The Olson Company

		Potentially Significant Impact	Less than Sig. With Mitigation	Less Than Significant	No Impact	Source
a.	Expose people or structures to potential substantial adverse effects, including the risk of loss, injury or death involving:					
	i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.					UBC, UPC, UMC, NEC
	ii) Strong seismic ground shaking?					45
	iii) Seismic-related ground failure, including liquefaction?			$\boxtimes$		tt
	iv) Landslides?					
b.	Result in substantial soil erosion or the loss of topsoil?					tt
C.	Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?					41
d.	Be located on expansive soil, as defined in Table 18-a-B of the Uniform Building Code (1994), creating substantial risks to life or property?					u
e.	Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?					"
	ILITIES AND SERVICE SYSTEMS. Would project:					
a.	Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?					2, 20, 24, 87, 88, 89, 90, 111, 112
b.	Require or result in construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?					2, 20, 24, 25, 87, 88, 89, 111, 112

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	-		Potentially Significant Impact	Less than Sig. With Mitigation	Less Than Significant	No Impact	Source
	C.	Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?				$\boxtimes$	2, 20, 24, 25, 87, 88, 89, 111, 112
	d.	Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?				$\boxtimes$	2, 20, 24, 25, 87, –88, 89, 111, 112
	e.	Result in a determination by the wastewater treatment provider which services or may serve the project determined that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?					2, 20, 24, 25, 87, 88, 89, 111, 112
	f.	Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?				$\boxtimes$	2, 22, 90, 111, 112
	g.	Comply with federal, state, and local statues and regulations related to solid waste?				$\boxtimes$	2, 22, 90, 111, 112
13.		ANSPORTATION/TRAFFIC. Would the ject:					
	a.	Cause an increase in the traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)?					2, 12, 71, 75-77, 111, 112
	b.	Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?					2, 12, 71, 75-77, 80, 84, 111, 112
	C.	Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?					2, 111, 112, 113
	d.	Substantially increase hazards to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g. farm equipment)?		Ċ		. 🖂	2, 12, 71, 75-77, 80, 84, 111, 112
	e.	Result in inadequate emergency access?					2, 111, 112
	f.	Result in inadequate parking capacity?					37, 111

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ATTACHMENT D	
Page 13 of 21	Project #: 2005-1184 Project Address: 698 E. Taylor Avenue
	Applicant: The Olson Company

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	<u></u>	Potentially Significant Impact	Less than Sig. With Mitigation	Less Than Significant	No Impact	Source
g.	Conflict with adopted policies or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?				$\boxtimes$	2, 12, 81, 111, 112
1	ZARDS AND HAZARDOUS MATERIALS. puld the project?	-				
a.	Create a significant hazard to the public or the environment through the routine transport, use or disposal of hazardous materials?					UFC, UBC, SVMC
b.	Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the likely release of hazardous materials into the environment?				$\boxtimes$	UFC, UBC, SVMC
c.	Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an exiting or proposed school?			$\boxtimes$		UFC, UBC, SVMC
d.	Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result would it create a significant hazard to the public or the environment?	, in the second				UFC, UBC, SVMC
e.	For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?					UFC, UBC, SVMC
f.	For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?					UFC, UBC, SVMC
g.	Impair implementation of, or physically interfere with an adopted emergency response plan or emergency evacuation plan?		,			UFC, UBC, SVMC
h.	Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands					UFC, UBC, SVMC
15. RE	CREATION					
a.	Would the project increase the use of existing neighborhood or regional parks or other recreational facilities such that			$\boxtimes$		2, 18, 111, 112

ATTACHMENT_D	Pi
Page of 21	⊸P A

		Potentially Significant Impact	Less than Sig. With Mitigation	Less Than Significant	No Impact	Source
	ical deterioration of the our or be accelerated?					
facilities or requi expansion of rec	include recreational re the construction or reational facilities which dverse physical effect on ?			$\boxtimes$		2, 18, 111, 112
whether impacts to a significant environme may refer to the Calif Evaluation and Site A prepared by the Calif Conservation as an o	GOURCES: In determining gricultural resources are ental effects, lead agencies ornia Agricultural Land Assessment Model (1997) ornia Department of optional model to use in a agriculture and farmland.					
or Farmland of S (Farmland), as s prepared pursua Mapping and Mo	armland, Unique Farmland statewide Importance hown on the maps nt to the Farmland whitoring Program of the rces Agency to non-					94
	ting zoning for agricultural son Act contract?				$\boxtimes$	94
environment whi	anges in the existing ch, due to their location or sult in conversion of nagricultural use					94
17. HYDROLOGY AND the project:	WATER QUALITY. Would					
a. Violate any wate waste discharge	r quality standards or requirements?				$\boxtimes$	2, 24, 25, 111, 112
supplies or interf groundwater rec would be a net d a lowering of the level (e.g., the pi existing nearby which would not	grade groundwater ere substantially with harge such that there eficit in aquifer volume or local groundwater table roduction rate of pre- wells would drop to a level support existing land uses for which permits have					2, 24, 25, 111, 112
pattern of the sit through the alter stream or river, i	er the existing drainage e or area, including ation of the course of a n a manner which would tial erosion or siltation on-					2, 24, 25, 111, 112

ATTACHMENT D	Project #: 2005-1184
P. Contraction of the Contractio	MANAGE ADDIESS NAV E. LAMOL AVEDDE
) age of a	Applicant: The Olson Company

		Potentially Significant Impact	Less than Sig. With Mitigation	Less Than Significant	No Impact	Source
	or off-site?					
d.	Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or surface runoff in a manner which would result in flooding on- or off site?					2, 24, 25, 111, 112
е.	Create or contribute runoff which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?					2, 24, 25, 111, 112
f.	Otherwise substantially degrade water quality?				$\boxtimes$	2, 24, 25, 111, 112
g.	Place housing within a 100-year floodplain, as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?					2, 24, 25, 111, 112
h.	Place within a 100-year flood hazard area structures which would impede or redirect flood flows?				$\boxtimes$	2, 24, 25, 111, 112
i.	Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?				$\boxtimes$	2, 24, 25, 111, 112
j)	Inundation by seiche, tsunami, or mudflow?					2, 24, 25, 111, 112

### DISCUSSION OF IMPACTS THAT ARE LESS THAN SIGNIFICANT:

- **1. AESTHETICS (c)** The City's implementation of the Citywide Design Guidelines and staff's review of final development plans, which will be submitted for final Building Permit review, will ensure that the final design of the project is consistent with the plans reviewed by the Planning Commission. The project will not degrade the visual character or quality of the site and its surroundings. As a result, this impact will be less than significant.
- 4. CULTURAL RESOURCES (a) See Note for 4 (b).
- **4. CULTURAL RESOURCES (b)** Staff has no evidence of archaeological resources being located on-site or being found in the immediate vicinity. However, the project scope does include grading and minor excavation of the site for the construction of basements for the proposed dwelling units. There may be the potential that the project

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may uncover yet undiscovered archaeological resources. As a standard Condition of Approval for project involving major excavation, staff has included specific project requirements related to the potential discovery of any archeological resources and what procedures need to be followed. Based on this analysis and the standard Conditions of Approval noted, staff has determined that the project would have a less than significant impact.

- 7. NOISE (c) The project will introduce additional sources of noise to the project area both during construction and as an operational aspect of the 68 additional housing units. The new use of the property is anticipated to be more intensive at certain times (weekday evenings and weekends) than the existing industrial buildings, but less intensive at other times (weekday daytime). Through the City's implementation of the Citywide Design Guidelines and Municipal Code noise regulations, this impact will be lessened to a less than significant level both during construction and post-construction operation.
- 7. NOISE (d) The project may introduce short-term and temporary additional sources of noise to the project area during construction. Through the City's implementation of the Citywide Design Guidelines and Municipal Code noise regulations, this impact will be lessened to a less than significant level during construction.
- **8. POPULATION AND HOUSING (a)** The project will add 68 new residential units to the project site. The project's impact will be a slight incremental beneficial impact to the City's Jobs/Housing balance. As a result, this positive aspect of the project is a less than significant impact.
- **9. PUBLIC SERVICES (d)** The project will generate a very slight increase in the use of existing park facilities, but this impact is less than significant because the project will comply with the City's Park Dedication Fee requirement, which includes a fee of \$7,350.75 per unit. The project will generate \$499,851 for the Citywide acquisition and improvement of park facilities to offset this potential increased use.
- **10. MANDATORY FINDINGS OF SIGNIFICANCE** (b) The project will provide additional housing units for the City's housing stock and has cumulative incremental effects, but these effects are not significant based on applicable environmental thresholds, existing facility and system capacities, and/or adopted service levels.
- 11. GEOLOGY AND SOILS (a)(ii) The project site is not located in an area with any active faults, but may experience strong seismic ground shaking in the event of an earthquake. Through the City's implementation of the Uniform Building Code requirements for area's with potential for seismic activity, this aspect of the project will be reduced to a less than significant level.
- 11. GEOLOGY AND SOILS (a)(iii) See Note for 11 (ii).

- 11. GEOLOGY AND SOILS (c) See Note for 11 (ii).
- **13. TRANSPORTATION AND TRAFFIC (a)** The Traffic Division of the Public Works Department has determined the project does not warrant the preparation of a Traffic Study and the proposed project will not have a significant impact on transportation or traffic because the project will not generate additional peak hour traffic trips.
- **13. TRANSPORTATION AND TRAFFIC (b)** The Traffic Division of the Public Works Department has determined the project does not warrant the preparation of a Traffic Study and the proposed project will not have a significant impact on transportation or traffic because the project density is below the adopted maximum density for the project site that is noted in the General Plan.
- **14. HAZARDS AND HAZARDOUS MATERIALS GENERAL DISCUSSION:** The applicant submitted a Phase I, Phase II, and Human Health Risk Assessment studies for the four properties. These studies were completed by SECOR International Incorporated in 2005 and are available for review at the City of Sunnyvale's Community Development Department, Monday thru Friday between 8:00am and 5:00pm.

The purpose of the Phase II study was to assess the extent of soils and groundwater impacts from a former TCE vapor degreaser, a former gasoline UST, and other machinery located throughout the properties. The Human Health Risk Assessment evaluated the suitability of the site for townhomes and risk to future residents and determined that no remediation of the site is warranted and the site is well suited for the intended residential development purposes.

- 14. HAZARDS AND HAZARDOUS MATERIALS (a) The California Regional Water Quality Control Board (RWQCB) has reviewed this project and issued a preliminary approval letter to the applicant. The RWQCB will require their own permit approvals prior to the start of construction and retains final approval authority over all modifications to the mitigation system currently on site. RWQCB is considered the lead agency for this project.
- 14. HAZARDS AND HAZARDOUS MATERIALS (c) See notes for 14 (a).
- 14. HAZARDS AND HAZARDOUS MATERIALS (d) See notes for 14 (a).
- **15. RECREATION (a)** The project will generate a very slight increase in the use of existing park facilities, but this impact is less than significant because the project will comply with the City's Park Dedication Fee requirement, which includes a fee of \$7,350.75 per unit. The project will generate \$499,851 for the Citywide acquisition and improvement of park facilities to offset this potential increased use.
- 15. RECREATION (b) See Note for 15 (a).

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# DISCUSSION OF IMPACTS THAT ARE LESS THAN SIGNIFICANT WITH MITIGATION INCORPORATED:

2. AIR QUALITY (d) The project requires significant grading of the site, including demolition of he existing building and potential remediation of any contaminated soil or groundwater on site. This may introduce temporary and short term dust into the air, and therefore, temporarily affect air quality. There is an existing 58 unit residential project to the west (Classic Communities at Fair Oaks) and an existing 96 unit complex to the east (Avalon at Parkside Commons) where children and seniors likely reside. This population could be negatively affected by the change in air quality if mitigation is not implemented. Through the City's implementation of the Municipal Code's construction regulations, Bay Area Air Quality regulations, and Regional Water Quality Control Board, this impact will be lessened to a less than significant level during construction.

The following mitigation measures are proposed:

WHAT: Permits must be obtained from the City of Sunnyvale, Bay Area Air Quality, and Regional Water Quality Control Board prior to demolition or construction.

WHEN: These permits are required prior to any demolition or construction at the site.

WHO: The property owner will be solely responsible for obtaining permits.

HOW: These mitigation measures will be required to be completed prior to building permit issuance.

**7. NOISE (a)** The project may introduce short-term and temporary additional sources of noise to the project area during construction. Through the City's implementation of the Citywide Design Guidelines and Municipal Code noise regulations, this impact will be lessened to a less than significant level during construction.

The applicant submitted a noise study prepared by Charles M. Salter Associates, Inc., (study is on file in the Community Development Department) analyzing the existing exterior noise levels at the site on October 25 and 26, 2005. The study measured the noise levels at the property lines along East Taylor and East Arques Avenues. The measurement occurred over two, 24-hour period and the results are presented as an average for the day. According to the noise study, noise levels along Arques were the most significant and reached 72bBA over the 24-hour period. The average level along Taylor was 61dBa. To account for a future traffic increase, 1 dBA was added for a total noise level of 73dBA and 62dBa.

When determining if noise generated from adjacent streets are at acceptable levels for a project, the Noise Sub-Element of the General Plan is typically applied to projects. The Sub-Element requires that interior noise levels cannot exceed a maximum 24-hour day/night average sound level of 45dBA when there is an exterior noise level of 60dBA or greater. In this case, the noise level generated from Arques reached 72dBA, and

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Taylor reached 62dBa, therefore, the noise needs to be attenuated through standard construction techniques, so that the interior noise level is 45dBA or less. This will be accomplished through the following mitigation measures are proposed:

- WHAT: 1) The residential unit facing E. Arques Ave shall have ALL windows and doors facing the street (including side windows/doors) sound rated to a range of STC 34 or greater. The windows and doors facing away from Arques Ave on the northern side shall be sound rated to a range of STC 28 or greater.
  - 2) All other residential units shall have all windows and doors sound rated to a range of STC 28 or greater.
  - 3) Since all windows and doors are required to be shut to achieve a dBA or 45 or less, ventilation or air conditioning systems must be incorporated to provide a habitable environment for all habitable space.
- WHEN: These mitigation measures will be converted into conditions of approval for this Special Development Permit prior to its final approval by the City's Planning Commission. The conditions will become valid when the SDP is approved and prior to building permit issuance.
- WHO: The property owner will be solely responsible for implementation and maintenance of these mitigation measures.
- HOW: The conditions of approval will require these mitigation measures to be incorporated into the construction plans.

Steve Lynch, Senior Pla	ner	5/2/2006
Completed By		Date

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#### City of Sunnyvale General Plan:

- 2. Map
- 3. Air Quality Sub-Element
- 4. Community Design Sub-Element
- 5. Community Participation Sub-Element
- 6. Cultural Arts Sub-Element
- 7. Executive Summary
- 8. Fire Services Sub-Element
- 9. Fiscal Sub-Element
- 10. Heritage Preservation Sub-Element
- 11. Housing & Community Revitalization Sub-Element
- 12. Land Use & Transportation Sub-Element
- 13. Law Enforcement Sub-Element
- 14. Legislative Management Sub-Element
- 15. Library Sub-Element
- 16. Noise Sub-Element
- 17. Open Space Sub-Element.
- 18. Recreation Sub-Element
- 19. Safety & Seismic Safety Sub-Element
- 20. Sanitary Sewer System Sub-Element
- 21. Socio-Economic Sub-Element
- 22. Solid Waste Management Sub-Element
- 23. Support Services Sub-Element
- 24. Surface Run-off Sub-Element
- 25. Water Resources Sub-Element

#### 26. City of Sunnyvale Municipal Code:

- 27. Chapter 10
- 28. Zoning Map
- 29. Chapter 19.42. Operating Standards
- 30. Chapter 19.28. Downtown Specific Plan District
- 31. Chapter 19.18. Residential Zoning Districts
- 32. Chapter 19.20. Commercial Zoning Districts
- 33. Chapter 19.22. Industrial Zoning Districts
- 34. Chapter 19.24. Office Zoning Districts
- 35. Chapter 19.26. Combining Zoning Districts
- 36. Chapter 19.28. Downtown Specific Plan
- 37. Chapter 19.46. Off-Street Parking & Loading
- 38. Chapter 19.56. Solar Access
- 39. Chapter 19.66. Affordable Housing
- 40. Chapter 19.72. Conversion of Mobile Home Parks to Other Uses
- 41. Chapter 19.94. Tree Preservation
- 42. Chapter 19.96. Heritage Preservation

#### Specific Plans

- 43. El Camino Real Precise Plan
- 44. Lockheed Site Master Use Permit
- 45. Moffett Field Comprehensive Use Plan
- 46. 101 & Lawrence Site Specific Plan
- 47. Southern Pacific Corridor Plan

#### **Environmental Impact Reports**

- 48. Futures Study Environmental Impact Report
- 49. Lockheed Site Master Use Permit Environmental Impact Report
- 50. Tasman Corridor LRT Environmental Impact Study (supplemental)
- 51. Kaiser Permanente Medical Center Replacement Center Environmental Impact Report (City of Santa Clara)
- 52. Downtown Development Program Environmental

#### Impact Report

- 53. Caribbean-Moffett Park Environmental Impact Report
- 54. Southern Pacific Corridor Plan Environmental Impact Report

#### Maps

- 55. City of Sunnyvale Aerial Maps
- 56. Flood Insurance Rate Maps (FEMA)
- 57. Santa Clara County Assessors Parcel
- 58. Utility Maps (50 scale)

#### Lists/Inventories

- 59. Sunnyvale Cultural Resources Inventory List
- 60. Heritage Landmark Designation List
- 61. Santa Clara County Heritage Resource Inventory
- 62. Hazardous Waste & Substances Sites List (State of California)
- 63. List of Known Contaminants in Sunnyvale

#### Legislation/Acts/Bills/Codes

- 64. Subdivision Map Act
- 65. Uniform Fire Code, including amendments per SMC adoption
- 66. National Fire Code (National Fire Protection Association)
- 67. Title 19 California Administrative Code
- 68. California Assembly Bill 2185/2187 (Waters Bill)
- 69. California Assembly Bill 3777 (La Follette Bill)
- 70. Superfund Amendments & Reauthorization Act (SARA) Title III

#### Transportation

- 71. California Department of Transportation Highway Design Manual
- 72. California Department of Transportation Traffic Manual
- 73. California Department of Transportation Standard Plan
- 74. California Department of Transportation Standard Specification
- 75. Institute of Transportation Engineers Trip Generation
- 76. Institute of Transportation Engineers
  Transportation and Traffic Engineering
  Handbook
- 77. U.S. Dept. of Transportation Federal Highway Admin. Manual on Uniform Traffic Control Devices for Street and Highways
- 78. California Vehicle Code
- 79. Traffic Engineering Theory & Practice by L. J. Pegnataro
- 80. Santa Clara County Congestion Management Program and Technical Guidelines
- 81. Santa Clara County Transportation Agency Short Range Transit Plan
- 82. Santa Clara County Transportation Plan
- 83. Traffic Volume Studies, City of Sunnyvale Public works Department of Traffic Engineering Division
- 84. Santa Clara County Sub-Regional Deficiency Plan
- 85. Bicycle Plan

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#### **Public Works**

- 86. Standard Specifications and Details of the Department of Public Works
- 87. Storm Drain Master Plan
- 88. Sanitary Sewer Master Plan
- 89. Water Master Plan
- 90. Solid Waste Management Plan of Santa Clara County
- 91. Geotechnical Investigation Reports
- 92. Engineering Division Project Files
- 93. Subdivision and Parcel Map Files

#### Miscellaneous

- 94. Field Inspection
- 95. Environmental Information Form
- 96. Annual Summary of Containment Excesses (BAAQMD)
- 97. Current Air Quality Data
- 98. Chemical Emergency Preparedness Program (EPA) Interim Document in 1985?)
- 99. Association of Bay Area Governments (ABAG)
  Population Projections
- 100. Bay Area Clean Air Plan

- 101. City-wide Design Guidelines
- 102. Industrial Design Guidelines

#### **Building Safety**

- 103. Uniform Building Code, Volume 1, (Including the California Building Code, Volume 1)
- Uniform Building Code, Volume 2, (Including the California Building Code, Volume 2)
- Uniform Plumbing Code, (Including the California Plumbing Code)
- Uniform Mechanical Code, (Including the California Mechanical Code)
- National Electrical Code (Including California Electrical Code)
- 108. Title 16 of the Sunnyvale Municipal Code

#### Additional References

- 109. USFWS/CA Dept. F&G Special Status Lists
- 110. Project Traffic Impact Analysis
- 111. Project Description
- 112. Project Development Plans
- 113. Santa Clara County Airport Land Use Plan
- 114. Federal Aviation Administration